

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
MARCH 7, 2006  
9:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 9:07 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Jose Alexandro Lozano, Presi Ortega, Jr., Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Absent: Melina Castro. Late arrival: None. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

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**MAYOR'S PROCLAMATIONS**

**1. NATIONAL FFA WEEK**

Future Farmers of America – Coronado High School

**2. CESAR CHAVEZ MONTH**

**3. EL PASO COMMISSION FOR WOMEN 2006 HALL OF FAME**

Ms. Joyce Wilson, City Manager, thanked the commission for recognizing Chief Kirk.

Mayor Pro Tempore O'Rourke recognized members of the bicycle club in the audience.

**CALL TO THE PUBLIC – PUBLIC COMMENT**

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/city\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/city_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

1. Ms. Phyllis Rawley gave a PowerPoint presentation on the 2005 Annual Report for the El Paso Empowerment Zone (on file in the City Clerk's office).
2. Mr. H. Vanoy Barton spoke on "Oorah" and thanked the members of the Armed Services.

AYES: Representatives Lilly, Byrd, Lozano, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke  
ABSENT: Representative Castro

\*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for Regular City Council Meeting of February 28, 2006, and Special City Council Meeting of February 27, 2006.

\*Motion made, seconded, and unanimously carried to **EXCUSE** absent City Council Member Melina Castro from the March 7, 2006, Regular Council Meeting.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign a Contract between the **CITY OF EL PASO** and **ROZANNA M. MENDOZA**, to employ **Rozanna M. Mendoza** as an **Executive Assistant to the City Manager** at a biweekly rate of \$2,585.61, for 40 hours per week. The term of the contract shall be for the period of March 7, 2006, through March 6, 2007.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the following Investor Owned Housing Rehabilitation application and funding request be approved pursuant to the terms set forth in the El Paso Housing Programs Handbook, Chapter Five (Investor Owned Properties), as provided for below and as additionally recommended by the Director of the Community and Human Development Department:

Loan:	\$ 220,000.00
Forgivable Loan	<u>\$ 55,000.00</u>
Total	<u>\$ 275,000.00</u>
Address:	3911 Taylor (79930)
Interest at zero percent (0%)	

That the City Manager be authorized to sign a Community Development Investor-Owned Financial Terms Contract between the City and owner Juan R. Garcia, a Builder's and Mechanic's Lien Contract Deed of Trust (With Power of Sale) between the City, Ordoñez Remodeling, Inc. and Juan R. Garcia, and any other related documents and/or revisions thereto or necessitated thereby and complete any related funding account transfers, all such documents relating to Community Development Rehabilitation Loan Application No. H06-01-IO/CD/RG/MP-0327.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**WHEREAS**, the citizens of El Paso have approved a bond funded street & drainage project on Indian Place from San Jose Road to Forrest Haven Court; and

**WHEREAS**, there is a ponding area within the Marion Manor Elementary School campus at 8300 Forrest Haven Court, which interferes with full utilization of the elementary school's open area; and

**WHEREAS**, the City's Project design requires a ponding area; and

**WHEREAS**, the Ysleta Independent School District agrees that relocation of its identified ponding area on the Marion Manor Elementary School campus will allow for better utilization of the elementary school's open area,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:**

The Mayor is hereby authorized to sign an Interlocal Governmental Agreement between the City and Ysleta Independent School District in El Paso, El Paso County for the relocation and construction of a ponding area at Marion Manor Elementary School, at 8300 Forrest Haven Court.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**WHEREAS**, on February 7, 2004, the citizens of El Paso approved Proposition No. 3 as identified on the Bond Obligation Election ballot and as described in Ordinance No. 15611; and

**WHEREAS**, Proposition No. 3 identifies the issuance of general obligation bonds for the purpose of providing funds for permanent public improvements and included a specific project named "General Street Improvements" (District 6), which is described as "Street improvements to include street lighting, signal & flasher installation, and median landscaping; and,

**WHEREAS**, the "General Street Improvements" (District 6) project description requires the priorities and locations to be approved by City Council; and,

**WHEREAS**, on March 1, 2005, City Council approved Median Landscaping on Montwood Drive from Loop 375 to Sun Fire Boulevard as a priority and location in the amount of \$122,012.59; and,

**WHEREAS**, City Council has determined that the median landscaping on Montwood Drive should be extended further and should have included the 12400 and 12500 blocks of Montwood Drive and there is money in remaining in the original \$122,012.59 previously authorized to provide such median landscaping;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the El Paso City Council approves the following priority and location under the "General Street Improvements" (District 6) project as required by Proposition No. 3 of the Feb. 7, 2004 General Obligation Bond Election:

Median Landscaping on Montwood Drive from 12400 and 12500 blocks of Montwood Drive.

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**\*RESOLUTION**

**WHEREAS**, SAFETEA-LU provides a mechanism for accomplishing non-traditional transportation related activities that have a relationship to the surface transportation system; and

**WHEREAS**, a call for project nominations under the Statewide call for projects 2005-2006 Transportation Enhancement Program has been announced by the Texas Department of Transportation (TxDOT), and funding is for non-traditional transportation-related activities: and

**WHEREAS**, the funds provided by this program are on a cost reimbursement basis, and

**WHEREAS**, TxDOT guidelines for the nomination of projects for SAFETEA-LU reimbursement require that candidate projects within a single city or single metropolitan area be nominated by the governing body of the city or MPO; and

**WHEREAS**, the nominating entity must enter into an agreement with TxDOT and be financially responsible for the non-federal funding and for the implementation of a project; and

**WHEREAS**, TxDOT strongly encourages nominating entities to prioritize projects; and

**WHEREAS**, a total of four projects were nominated and submitted for City Council consideration;

**NOW, THEREFORE, BE IT RESOLVED:**

That the El Paso City in response to a Statewide call for projects 2005-2006 hereby approves the submission and nomination of four (4) projects to the Texas Department of Transportation for SAFETEA-LU reimbursement and consideration under the Statewide Transportation Enhancement Program, agrees to be financially responsible for the non-federal portion and the implementation of any selected project, and further supports the priority ranking of the nominated projects as follows:

**Priority One:** Union Depot Rehabilitation

**Priority Two: Don Haskins Bike Path**

**Priority Three:** Country Club Park & Ride and Bike Trail Head

**Priority Four: UTEP Campus Closure Project**

That the El Paso City Council hereby authorizes the City Manager to sign the completed nomination forms and all other related documents for submission of the prioritized projects to the Metropolitan Planning Organization and the Texas Department of Transportation prior to the April 28, 2006 deadline.

## \*RESOLUTION

**WHEREAS**, the City Council of the City of El Paso has determined, in an effort to provide more efficient parking to the citizens of El Paso that it is necessary to provide additional parking spaces by re-designating the south side of Franklin to angle parking; and,

**WHEREAS**, the City Council of the City of El Paso further finds, in accordance with Section 12.44.050 of the El Paso City Code, that said right-of-way is not upon a Federal-aid or State Highway; that passing traffic will not be required to drive upon the left side of the street or upon any streetcar tracks; that said parking will not be within the Central Traffic District nor the Five Points Traffic District; that said street does not carry more than 4,000 vehicles average per day, nor more than 500 vehicles per hour for any consecutive three day hours of an average; and that adequate provision has been made for the free and unobstructed passage of pedestrian traffic thereof;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the City Engineer is hereby authorized and directed to designate angle parking along the south side of Franklin starting 100 feet from west of Durango and extending to a point 875 feet west of Durango.

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**WHEREAS**, the El Paso City Council finds it in the best interest of the citizens of El Paso that the Victim Services Response Team be operated for the July 1, 2006 – June 30, 2007 year; and

**WHEREAS**, the El Paso City Council agrees to provide applicable matching funds for the said project as required by the Office of the Governor grant application; and

**WHEREAS**, the El Paso City Council agrees that in the event of loss or misuse of the Criminal Justice Division funds, the El Paso City Council assures that the funds will be returned to the Criminal Justice Division in full.

**WHEREAS**, the El Paso City Council designates City Manager Joyce Wilson as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the El Paso City Council approves submission of the grant application for the Victim Services Response Team project to the Office of the Governor, Criminal Justice Division.

The City Manager be authorized to sign the grant application including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant in the amount of \$96,864.00, from the City of El Paso Police Department to the Office of the Governor, Criminal Justice Division, for the purpose of continuing the efforts of the Police Department's Victim Services Response Team.

The City of El Paso agrees to provide cash matching funds in the amount of \$18,432.00 and in-kind match of \$5,877.00.

The El Paso City Council agrees that the existence of an award will not be used to offset or decrease total salaries, expenses and allowances that the City receives or provides to its Police Department at or after the time the grant is awarded.

The City Manager be authorized to sign Cooperative Working Agreements relating to the grant with the following agencies: El Paso County Sheriff's Office; Court Appointed Special Advocates; Diocesan Migrant and Refugee Services, Inc., Battered Spouse Program; STARS; El Paso County District Attorney, Victim Assistance Program; El Paso County District Attorney, Domestic Violence Unit; El Paso County Attorney's Office, VOCA Protective Orders Program; Center Against Family Violence; Advocacy Center for the Children of El Paso; West Texas Community Supervision and Corrections Department, Victim Services Program; Rio Grande Council of Governments; and Family Service of El Paso, Crime Survivors Counseling Program.

\*Motion made, seconded, and unanimously carried to **APPOINT** Herschel Stringfield to the Building and Standards Commission by Mayor John Cook.

\*Motion made, seconded, and unanimously carried to **APPOINT** Susan Davidoff to the Cultural Affairs Advisory Board (CAAB) by Representative Ann Lilly.

\*Motion made, seconded, and unanimously carried to **APPOINT** Edward Moreno to the Cultural Affairs Advisory Board (CAAB) by Representative Melina Castro.

\*Motion made, seconded, and unanimously carried to **APPOINT** Elaine Johnson to the Cultural Affairs Advisory Board (CAAB) by Representative Steve Ortega.

\*Motion made, seconded, and unanimously carried to **APPOINT** John S. Cullers to the Building Board of Appeals by Representative Eddie Holguin Jr.

\*Motion made, seconded, and unanimously carried to **APPOINT** Seam Chow to the Building Board of Appeals by Representative Susie Byrd.

\*Motion made, seconded, and carried that the following tax refunds be **APPROVED**:

- REGULAR COUNCIL MEETING – MARCH 7, 2006

- D. Homecoming Financial in the amount of \$5,159.69 overpayment of 2004 taxes.  
(PID #C340-999-1520-2800).
- E. Cooperstown, LTD in the amount of \$9,538.43 overpayment of 2005 taxes.  
(PID #C762-999-0220-0110).
- F. South Cooperstown, LTD. in the amount of \$12,239.84 overpayment of 2005 taxes. (PID #C762-999-0250-0825).
- G. Chase Home Financial in the amount of \$8,355.98 overpayment of 2005 taxes.  
(PID #C801-999-0060-5200)
- H. Sierra Title Co. in the amount of \$5,850.75 overpayment of 2005 taxes.  
(PID #E073-999-000G-5100).
- I. First American Real Estate Tax Services in the amount of \$3,173.30 overpayment of 2005 taxes. (PID #F609-999-0050-2600).
- J. Hector E. Zaragoza in the amount of \$2,662.64 overpayment of 2005 taxes.  
(PID G569-999-0920-0100).
- K. Land America Lawyers Title in the amount of \$6,944.79 overpayment of 2005 taxes.  
(PID #L626-999-0020-4000).
- L. State National Bank in the amount of \$3,110.52 overpayment of 2005 taxes.  
(PID #M576-999-0210-1700).
- M. World Savings in the amount of \$8,497.96 overpayment of 2005 taxes.  
(PID #P327-999-0040-1000).
- N. Patrick & Norma Carr in the amount of \$3,513.97 overpayment of 2005 taxes.  
(PID #P585-000-0020-2000).
- O. Maritta Ramirez in the amount of \$3,205.4 overpayment of 2005 taxes.  
(PID #P863-999-0260-1800)
- P. Pueblo Montana Apartments, LTD in the amount of \$20,746.87 overpayment of 2005 taxes. (PID #P915-999-0010-9400).
- Q. Stewart Title Co. in the amount of \$4,450.63 overpayment of 2005 taxes.  
(PID #R457-999-0030-0700).
- R. Countrywide Tax Services Corporation in the amount of \$6,122.04 overpayment of 2005 taxes. (PID #R577-999-0080-3700).
- S. Juan E. Haro in the amount of \$3,177.79 overpayment of 2005 taxes.  
(PID #S533-000-0100-1830).
- T. Wells Fargo Home Mortgage in the amount of \$3,530.91 overpayment of 2005 taxes. (PID #S812-999-0340-1400).

- U. Sunset Palms, LTD in the amount of \$20,061.63 overpayment of 2005 taxes. (PID #S814-999-0020-1000).
- V. Wells Fargo Real Estate Tax Service in the amount of \$2,593.16 overpayment of 2005 taxes. (PID #S912-999-001E-0400).
- W. Mimbela Fuel & Oil Company, LP in the amount of \$4,474.07 overpayment of 2005 taxes (PID #S917-999-002J-8500).
- X. Gregory Walker & Melissa G. Walker in the amount of \$2,961.08 overpayment of 2005 taxes. (PID #V893-999-5680-6300)
- Y. Wells Fargo Real Estate Tax Services, LLC in the amount of \$3,177.98 overpayment of 2005 taxes. (PID #V893-999-5710-2100).
- Z. Kathleen E. Helgesen in the amount of \$3,370.51 overpayment of 2005 taxes. (PID #V897-999-0910-9700)
- AA. Asa C. Hartvigsen in the amount of \$2,861.89 overpayment of 2005 taxes. (PID #V897-999-1040-0700).
- BB. Ranchos Real IV, LTD. In the amount of \$130,307.99 overpayment of 2005 taxes. (PID #X579-999-2330-0000).
- CC. CitiMortgage, Inc. in the amount of \$6,354.33 overpayment of 2004 taxes. (PID #K216-999-0290-3400)

Mayor Cook and Representative Presi Ortega, Jr. commented.

The following members of City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Juan Sandoval, Tax Assessor/Collector, commented.

Ms. Sylvia Mimbela, citizen, commented.

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 \*Motion made, seconded, and unanimously carried to **ALLOCATE** funds from District 4 Discretionary Funds {Dept. ID #01010004; Fund #01101; Acct. #504420; Class #01001} in the amount of \$500.00 to the El Paso Library-Dia De Los Niños/Dia De Los Libros event on April 29, 2006.  
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\*Motion made, seconded and unanimously carried to **APPROVE** the request that the Director of Financial Services exercise the City's option to extend Contract No. 2004-079C between the City of El Paso and Unicen Industries, Bellevue, WA, for "Runway Rubber Removal & Friction Measurement Services" for the Department of Aviation (for two additional years) starting April 12, 2006, and ending April 11, 2008.

Department:	Department of Aviation
Funds available:	62620009-502215-40101
Funding source:	Airport Operating Fund
Total amount:	\$130,000.00 (Estimated)
District(s):	3

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\*Motion made, seconded and unanimously carried to **APPROVE** the request that the Director of Financial Services be authorized to exercise the City's option to extend the term of the agreement for two additional years, from May 13, 2007, to May 13, 2009, pursuant to the provisions of Contract 2004-154 with Texas Soil Control, El Paso, Texas, for Magnesium Chloride Dust Control.

Option No: ONE [OF ONE]  
 Amount of Award: \$84,360.00 (two-year extension estimated amount)  
 Account No: 32010200-503203-01101  
 Funding Source: Public Accesses Maintenance and Repair  
 Department: Street

\*Motion made, seconded, and unanimously carried to **DELETE** Bid Solicitation No. 2006-046 Tractor, Track-Type with Waste Disposal Configuration.

Award to:	Wagner Equipment Company		
	El Paso, TX		
Item(s):	Alternate Bid Item 1B		
Amount:	Item 1B-1, Tractor	\$461,000.00	
	Item 1B-2, 5 Yr/10,000 Hrs		
	Repair Expenses	<u>+221,400.00</u> (Not to Exceed)	
		\$682,400.00	
	Item 1B-3, Guaranteed		
	Repurchase Price	<u>- 148,000.00</u>	
		\$534,400.00	
	Trade-In Item T-1	-27,000.00	Less Trade-In Allowance
	Trade-In Item T-2	<u>-18,000.00</u>	Less Trade-In Allowance
		\$489,400.00	

Department: Environmental Services  
 Funds available: 508006-34340200-40415  
 Funding source: Solid Waste Revenue Fund  
 Total award: \$489,400.00  
 District (s): All

The General Services, Environmental Services, and Financial Services Departments recommend award as indicated to the lowest total life cycle cost offer meeting specifications from responsible parties. This is a fixed-price, single (one-time) purchase, to purchase a Track-type Tractor with Waste Disposal Configuration. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days from the date of award of the contract. No prompt payment discount is offered.

\*Motion made, seconded, and unanimously carried to **AWARD** Bid Solicitation No: 2006-068 Nations Tobin Park Resurfacing

Location: 8831 Railroad Dr.  
 Contractor: Karlsruher, Inc., dba CSA Engineers & Constructors  
 El Paso, Texas  
 Department: Parks  
 Funds Available: 71150069-G7131CD0023-07845-508027  
 Funding Source: Community Development  
 HUD Grant B-06-MC-48-0015-0023  
 Items: Base Bid I \$166,150.00

Total Award:	\$166,150.00
Estimated Completion Date:	July 2006
District(s):	4

**RECOMMENDATION:**

The Departments of Engineering and Parks recommend the award of this contract to Karlsruher, Inc., dba CSA Engineers & Constructors, the low responsible, responsive bidder. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract.

Work under the unit price component is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

\*Motion made, seconded, and unanimously carried to **APPROVE** the request of March of Dimes to block off McKelligon Canyon at Alabama on May 6, 2006, from 6:00 a.m. to 2:00 p.m. for a foot walk. Approximately 1,000 persons, 500 vehicles will take part and 20 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (2 speakers and 1 microphone). PERMIT # 05-189 [Sandra Gonzalez]

\*Motion made, seconded, and unanimously carried to **APPROVE** the request of the Humane Society of El Paso to hold a Run, Walk & Bike Event on April 29, 2006, from 8:00 a.m. to 11:00 a.m. Route: Start at parking lot of McKelligon Canyon Amphitheater, proceed East 1.2 miles, turn around and travel west going around upper loop, and finish at amphitheater parking lot. Approximately 200 persons and 100 spectators are anticipated. PERMIT # 06-009 [Mike Coulter]

\*Motion made, seconded and unanimously carried to **APPROVE** the request of the City of El Paso-Museums & Cultural Affairs to use amplification (microphones, monitors and speakers to accommodate 4-12 band members) at 1 Arts Festival Plaza (the Arts Plaza outdoor corridor between the Museum of Art and the Plaza Theater) on June 2, 9, 16, 23, 30, 2006, July 7, 14, 21, 28, 2006, and August 4, 11, 18, 25, 2006, for Alfresco Friday Concerts. Approximately 4 to 12 band members will take part and 500 to 2,500 spectators are anticipated. Permit # 06-011 [Lilia Fierro]

\*Motion made, seconded, and unanimously carried to **APPROVE** the request of St. Jude Children's Hospital to hold a Miracle Mile Walkathon on March 11, 2006, from 8:00 a.m. to 12:00 p.m. Route: Eastwood Park perimeter (sidewalk only) beginning at the corner of Parkwood and Album, continue on Album to Wedgewood, turn right on Wedgewood to Orkney, turn right on Orkney to Bayo, turn right on Bayo to Cornwall, turn right on Cornwall to Parkwood, turn right on Parkwood, and finish at Album. Approximately 40 persons will take part and 40 spectators are anticipated. This request includes permission to use amplification (2 speakers). Permit # 06-012 [Erica Rodriguez]

ITEMS TAKEN TOGETHER:

- A.** Discussion and action to direct staff to submit to council an ordinance within one week to allow for 3<sup>rd</sup> party plan checking and 3<sup>rd</sup> party inspections for parks to be constructed by developers.

- B. Discussion and action to direct staff to submit to council an ordinance within one week to allow for amendments to Title 19 (subdivision ordinance), Section 3, "Streets" that will eliminate 4-foot parkways in all residential street cross-sections.
- C. Discussion and action to direct staff to submit to council an ordinance within one week to adopt the BZAC recommendations regarding front and rear yard set-backs and reduce size of 2nd frontage (parkway) or alternatively require the city and utility companies to maintain them.
- D. Discussion and action to direct staff to submit to council an ordinance within one week to modify the ponding requirements found in Title 19 to require developers to build ponds to the 100-year flood standard. In addition, to require that ponding areas be developed as open space that can be used as park space. This ordinance would eliminate the requirement for developers to design ponds to the 100-year standard PLUS 25% and 1 foot of "freeboard" as required by the current ordinance.

Mayor Cook and Representatives Lozano, O'Rourke, and Byrd commented.

The following City staff members commented:

- 1. Ms. Pat Adauto, Deputy City Manager for Infrastructure and Development
- 2. Ms. Joyce Wilson, City Manager

The following members of the public commented:

- 1. Mr. Richard Schechter
- 2. Mr. Tom Killebrew

Motion made by Representative Lozano, seconded by Representative Presi Ortega, Jr., and unanimously carried to **APPROVE** the Deputy City Manager for Infrastructure and Development's presentation.

AYES: Representatives Lilly, Byrd, Lozano, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke

ABSENT: Representative Castro

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Item:

Discussion and action on a resolution to establish 9:00 a.m. as the starting time of the regular City Council meeting on each Tuesday; and to approve an amendment to Section 13 of the City Council Rules of Order, to revise the order of agenda items and to clarify procedures for announcing agenda items.

Mayor Cook and Representatives Lozano, Holguin, and Presi Ortega, Jr. commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Charles McNabb, City Attorney

Mr. Richard Schechter, citizen, commented.

Motion made by Representative Presi Ortega, Jr. and seconded by Representative Lilly to approve the resolution. The motion **FAILED**.

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Motion made by Representative Byrd, seconded by Representative Lilly and unanimously carried to **APPROVE** the request of the Special Olympics Texas Area-19 to hold an 8K Run/2 Mile Fun Walk on



The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE EL PASO CITY CODE, TO CREATE CHAPTER 2.94 (REGULATION OF LOBBYING ACTIVITIES) AND SECTIONS THEREUNDER; TO CREATE REQUIREMENTS FOR THE REGISTRATION AND REPORTING OF LOBBYISTS; TO RESTRICT CERTAIN ACTIVITIES; AND TO CREATE A PENALTY; THE PENALTY BEING AS IN SECTIONS 1.08.010-1.08-030 AND 2.94.130 OF THE EL PASO CITY CODE.**

Mayor Cook and Representatives O'Rourke, Byrd, Lozano, Holguin, Steve Ortega, and Presi Ortega, Jr., commented.

The following City staff members commented:

- 1. Ms. Elaine Hengen, City Attorney, gave a PowerPoint presentation (on file in the City Clerk's office).
- 2. Ms. Joyce Wilson, City Manager
- 3. Ms. Richarda Momsen, City Clerk
- 4. Mr. Charles McNabb, City Attorney

Mr. Ray Mancera, City Plan Commission, commented.

Motion duly made by Representative Steve Ortega, seconded by Representative Byrd that the Ordinance be **ADOPTED AS AMENDED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

- AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Steve Ortega, and O'Rourke
- NAYS: Representatives Lozano, and Holguin
- ABSENT: Representative Castro

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

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**ORDINANCE 16301**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL) CHAPTER 2.92 (ETHICS), OF THE EL PASO CITY CODE, TO AMEND SECTION 2.92.030 (DEFINITIONS); TO ADD SECTIONS 2.92.100 (CAMPAIGN FINANCES) AND 2.92.110 (DISCLOSURE OF CAMPAIGN CONTRIBUTIONS); TO CREATE REQUIREMENTS APPLICABLE TO THE MAKING, RECEIVING AND DISCLOSING OF CAMPAIGN CONTRIBUTIONS; AND TO CHANGE THE SECTION NUMBER FOR THE PENALTY SECTION TO 2.92.150; THE PENALTY BEING AS PROVIDED IN SECTIONS 1.08.010-1.08-030 AND 2.92.150 OF THE EL PASO CITY CODE.**

Mayor Cook and Representatives Lozano, Presi Ortega, Jr., Steve Ortega, Holguin, and Byrd commented.

The following City staff members commented:

- 1. Ms. Elaine Hengen, City Attorney
- 2. Mr. Charles McNabb, City Attorney
- 3. Ms. Richarda Momsen, City Clerk

Mr. Richard Schecter, citizen, commented.

Motion duly made by Representative Presi Ortega, Jr., seconded by Representative Byrd that the Ordinance be **ADOPTED AS AMENDED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Steve Ortega, and O'Rourke  
NAYS: Representatives Lozano and Holguin  
ABSENT: Representative Castro

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

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**ORDINANCE 16302**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 009543 WHICH CHANGED THE ZONING OF ALL OF LOTS 2 AND 3 AND A PORTION OF LOT 4, BLOCK 2, AMERICAS INDUSTRIAL PARK, EL PASO, EL PASO COUNTY, TEXAS, AND WHICH IMPOSED CERTAIN CONDITIONS, BY PARTIALLY RELEASING THE CONDITION THEREOF. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 9560 JOE RODRIGUEZ DR. APPLICANT VERDE 9600-9660 JOE RODRIGUEZ DR LP. ZON05-00144.**

Mr. Rudy Valdez, Development Services, gave a PowerPoint presentation (on file in the City Clerk's office).

Motion duly made by Representative Holguin, seconded by Representative Byrd, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Holguin, Presi Ortega, Jr., and Steve Ortega  
ABSTAIN: Mayor Pro Tempore O'Rourke  
NOT PRESENT FOR THE VOTE: Representative Lozano  
ABSENT: Representative Castro

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....  
Motion made by Representative Holguin, seconded by Representative Steve Ortega and unanimously carried to **POSTPONE** one (1) week an Ordinance changing the zoning of Lot 3, Block 10, I-10 Industrial Park, Replat A, El Paso, El Paso County, Texas, from M-1/SC (Light Manufacturing/Special Contract) to C-4/SC (Commercial/Special Contract). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property 1140 Burgundy Dr. Applicant: I-10 Joint Venture. ZON05-00154

Representative Holguin commented.

Mr. Rudy Valdez, Development Services, gave a PowerPoint presentation (on file in the City Clerk's office).

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke  
NOT PRESENT FOR THE VOTE: Representative Lozano  
ABSENT: Representative Castro

.....  
Motion made by Representative Steve Ortega, seconded by Representative Holguin, and unanimously carried to **POSTPONE** one (1) week an Ordinance granting Special Permit No. ZON05-00149, to allow for a Planned Residential Development on a portion of Tracts 1D, 2D, 3D, and 4D First Supplemental Map of Parkland Addition, and a portion of Lot 1, Block 1, Goldberg and Lehman Subdivision, El Paso, El Paso

County, Texas, pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Railroad and Transmountain. Applicants: Black Sea Acquisition, LP. ZON05-00149.

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke  
NOT PRESENT FOR THE VOTE: Representative Lozano  
ABSENT: Representative Castro

.....  
**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign an Amendment and Release to Contract by and between the City of El Paso and Tropicana Homes Inc., successor in title and interest, amending the Contract dated April 1, 1986, to delete a condition and impose additional conditions for the property described as a portion of a *portion of Tracts 1B and 59A1A, Nellie D. Mundy Survey No. 241, El Paso, El Paso County, Texas.*

Representative Steve Ortega commented.

Rudy Valdez, Development Services, provided a PowerPoint presentation (on file in the City Clerk's office).

Mr. Richard Schechter, citizen, commented.

Motion made by Representative Lilly, seconded by Representative Lozano and unanimously carried to **APPROVE** the above Resolution.

AYES: Representatives Lilly, Byrd, Lozano, Presi Ortega, Jr., Holguin, Steve Ortega, and O'Rourke  
ABSENT: Representative Castro

.....  
Motion made by Representative Presi Ortega, Jr., seconded by Representative Steve Ortega, and unanimously carried to **ADJOURN** this meeting at 12:24 p.m.  
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**APPROVED AS TO CONTENT:**

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Richarda Duffy Momsen, City Clerk